

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78578

Akira OOSAWA

Appln. No.: 10/718,694

Group Art Unit: 2624

Confirmation No.: 3220

Examiner: Akililu K. Woldemariam

Filed: November 24, 2003

For: IMAGE PROCESSING APPARATUS

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
January 29, 2010:

REMARKS

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: Claims 1 and Claim 22
3. Identification of art discussed: The Kano article cited by the Examiner.
4. Identification of principal proposed amendments: The Examiner proposed the following amendments: 1) for claim 22, the Examiner proposed that the term “computers” or “processors” which perform the method steps would overcome the rejection of claims 22-25 under 35 U.S.C. § 101; 2) with regard to independent claims 1, 7, 13 and 17, the Examiner proposed amending line 1 of the claims to change the phrase “apparatus equipped with” to

“apparatus comprising”; 3) with regard to independent claims 1, 7, 13 and 17, the Examiner further proposed amending line 14 of claim 1 to recite “so that structural components of a single subject therein the two images substantially match” (and proposed similar amendments for claims 7, 13 and 17); and 4) with regard to independent claims 1, 7, 13 and 17, the Examiner additionally proposed adding “to suppress the artifacts and derive a difference between the two images” to the last phrase of claim 1 (and proposed similar amendments for claims 7, 13 and 17). The Examiner argued that the proposed amendments to claims 1, 7, 13 and 17 do not materially alter the claims, but merely provides better clarity for the claims.

5. Brief Identification of principal arguments: Applicants argued that Kano fails to disclose the process confirmation data and image processing condition data recited in the independent claims, and also fails to disclose the correction means and judgment means recited in the independent claims.

6. Indication of other pertinent matters discussed: None.

7. Results of Interview: With regard to the arguments that Kano does not anticipate the independent claims, no agreement reached, as the Examiner continued to allege that Kano discloses each of elements of claim 1.

With regard to the proposed claim amendments, no agreement was reached. In the interest of compact prosecution, and without conceding to the merits of the Examiner’s rejection, Applicants adopted the Examiner’s suggested claim amendments 1) and 2). However, Applicants do not adopt the Examiner’s suggested claim amendments 3) and 4).

Further Applicants submitted that the Examiner’s interpretations of the suggested claim amendments 3) and 4) are inconsistent with the maintained rejection over Kano. In particular,

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the Examiner stated that the Examiner believes that the proposed claim amendments 3) and 4) do not substantially alter the independent claims. Applicants then noted that if the amendments did not substantially alter the independent claims, then the rejection over Kano should be withdrawn, as the two positions taken by the Examiner, (1) the proposed amendments overcome the Kano reference and (2) the proposed amendments do not substantially alter the claims; are inconsistent with one another. The Examiner did not believe that the two noted positions are inconsistent with one another. Thus, no agreement was reached.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

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Date: February 1, 2010